

result with skill and intellect. He kept his eye on the ball until the job was concluded. I ask that the article be printed in the RECORD.

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\$3 BILLION LATER, DALKON TRUST CLOSES SHOP: MASS TORT CLEARINGHOUSE SEEN BY SOME AS THE BEST-RUN OUTFIT OF ITS KIND
(By Alan Cooper)

RICHMOND, VA.—The numbers are impressive, even by mass tort standards.

More than 400,000 claims reviewed. Nearly \$3 billion distributed. Administrative costs just 9%, including lawyer fees.

Even more impressive, the job is done.

The Dalkon Shield Claimants Trust closed on April 30 with a claim to being the best-managed mass tort plan so far.

Retired U.S. District Judge Robert R. Merhige, Jr., now of counsel at Hunton & Williams, gets much of the credit for what many view as the success of the trust, as well as the blame for what others see as its shortcomings.

The trust emerged from the 1985 bankrupt petition of A.H. Robins Co., which sold 3.6 million intrauterine birth devices called the Dalkon Shield between 1971 and 1974. Robins took it off the market under government pressure.

Robins and its products liability insurer, Aetna Casualty & Surety Co., were overwhelmed by allegations that women had suffered perforated uteruses and pelvic inflammatory disease that left them sterile. More than 326,000 women filed claims in response to a worldwide ad campaign.

Judge Merhige's 1987 estimate that the liability wouldn't top \$2.475 billion set off a bidding war, won by American Home Products Corp. It acquired Robins by providing about \$2.3 billion for claimants, to be paid by the trust, and \$700 million-plus in stock to Robins shareholders.

Claimants' payments were based on amounts Robins paid to settle cases before the bankruptcy and based on their medical records. With interest, they totaled nearly \$3 billion.

Robert E. Manchester, of Burlington, Vt., who represented 3,500-plus claimants, said of Judge Merhige, "He shaped the solution by tapping into people who were willing to be constructive."

"There was a significant number of people who felt they were treated badly by the process"—mostly atypical claimants—plaintiffs' lawyer Stephen W. Bricker, of Richmond said.

James F. Szaller, of Cleveland's Brown & Szaller, said that Judge Merhige "sometimes took unusual courses, but he did get it done. The result for the vast majority of people was good."•

RETURN OF FLAGSHIP "NIAGARA" TO LAKE ERIE

• Mr. SANTORUM. Mr. President, I would like to recognize Captain Walter Rybka and the officers and crew of the Flagship *Niagara* on their return from their East Coast ten-month voyage. The Flagship *Niagara* is a symbol of Erie, Pennsylvania's history and serves as an Ambassador of the Commonwealth when it participates in tall ship events. As a resident of Pennsylvania, I am proud to have such a treasure as part of our history.

The Flagship *Niagara* has played an important role in our nation's history. It sailed proudly in the War of 1812 and fought in the Battle of Lake Erie. I commend the Pennsylvania Historical and Museum Commission, the Flagship Niagara League, and the City of Erie for restoring the ship and making it available so that others in the United States may learn of its history.

I would also like to take this opportunity to express my sincere appreciation to those who serve on the Flagship *Niagara*. The Flagship *Niagara* is a part of Pennsylvania's history, and your commitment to the ship and to Erie is highly commendable.

RECOGNITION OF JIM SUTTON, SUPERINTENDENT OF THE KALAMA SCHOOL DISTRICT

• Mr. GORTON. Mr. President, I would like to bring the Senate's attention today to Mr. Jim Sutton, a man who has given a generation of Kalama students a unique look at the courageous acts of an older generation—the men and women who fought in World War II. Mr. Sutton is the Superintendent of the Kalama School District and also finds the time to teach a course on World War II and the Cold War. Through his great personal interest in WWII and his desire to transfer some of his interest onto his students, Jim has made history come alive for them.

Mr. Sutton's class, based on the book *Band of Brothers*, by Stephen Ambrose, uses firsthand accounts of companies who were a part of D-Day in WWII. Ambrose's book documents the accounts of E Company, which the movie, "Saving Private Ryan," was based.

Mr. Sutton has made it possible for his students to meet some of these great men who fought in WWII. Jim has brought an Italian officer that fought Rommel in the African Campaign, a P-51 pilot who brought actual video footage from his wing cameras, a machine gunner who landed at D-Day, and a German soldier who spent two years in a Russian prisoner of war camp.

Anyone can see how Mr. Sutton recognizes the sacrifices of the WWII generation and has shared it with others. Most impressive was in June when five of Mr. Sutton's students accompanied him to the opening of the D-Day museum in New Orleans, Louisiana where students were able to meet their history book heroes in person.

I have always considered my "Innovation in Education" Awards to highlight special people and programs, and this award demonstrates how innovative a typical U.S. history class can be. Mr. Sutton has created a live link between the past and the present for his students.

Greg Rayl, Principal of Kalama Middle and High School, who nominated Mr. Sutton for the award adds, "Too

often superintendents are many steps removed from the daily classroom management and operations of their district's schools. Jim not only walks the halls interacting with students and teachers, but teaches as well."

As an avid reader of history, I am delighted to learn about Mr. Sutton who has gone the extra mile to make history come alive for his students. I ask that the Senate join me in commending Mr. Sutton for his dedication to his students and for bringing two generations together.●

STATEMENT ON THE PASSING OF MRS. CORETTA OGBURN

• Mr. SANTORUM. Mr. President, I would like to take this opportunity to recognize Mrs. Coretta Ogburn who died on Monday July 31, 2000. She was born on July 30, 1909 in Pittsburgh to the late Sally and Henry Black.

Mrs. Ogburn graduated from the Pittsburgh Public School System and later became employed for many years with the Allegheny County Health Department from which she retired in the 1970s. She was also well known as a dedicated and highly respected community leader for her committed efforts to her Church and community organizations. She was actively involved in the Negro Emergency Education Drive (NEED), the Urban League, the YWCA, the YMCA, and the Pittsburgh branch of the NAACP.

During her tenure as a member of the NAACP, Mrs. Ogburn sat on the Executive Committee, Human Rights Dinner Committee, Scholarship Committee, Women in the NAACP (WIN), and the Membership Committee. As Chair of the Membership Committee, she was instrumental in increasing branch memberships for the organization, and in 1958, she received her first award for soliciting the most NAACP memberships. In addition, the National Office of the NAACP awarded Mrs. Ogburn a medal for her accomplishments as one of the top membership solicitors in the entire nation. Mrs. Ogburn was awarded several other awards for her commitment and dedication to this organization.

It is an honor for me to recognize Mrs. Coretta Ogburn and the selfless time and energy she put towards her community. She was a true civil servant and community leader, and Pittsburgh was very blessed to have her a resident of its city. She cared a great deal for her loved ones, illustrated true dedication to the organizations which she belonged, and will be sorely missed by all those who knew her.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.